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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/659,952	06/07/96	LUDWIG	L VCOR-001/09U

LM02/1027  
COOLEY GODWARD CASTRO HUDDLESON & TATUM  
FIVE PALO ALTO SQUARE  
3000 EL CAMINO REAL  
PALO ALTO CA 94306

EXAMINER  
CHEN, A

ART UNIT	PAPER NUMBER
2782	12

DATE MAILED: 10/27/98

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(e) filed on 7/27/98 (cm 7/14) AMDT 10
- ☒ This action is FINAL.

- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(e).

Disposition of Claims

- ☒ Claim(s) 15-28 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 15-28 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(e)-(d).
- ☐ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(e)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

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### **DETAILED ACTION**

1. This Office Action is in response to the filing of Paper # 11, Amendment D, on July 27, 1998 (CM July 27).
2. Claims 2-14 were canceled. Claims 15-28 have been added.
3. Applicant's arguments with respect to claims 2-14 have been considered but are moot in view of the new ground(s) of rejection.
4. Bales, Vin, & Palmer were cited as prior art in a previous Office Action.

### ***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maruo et al US Patent no 5,432,525 and further in view of Hayden US Patent no 4,653,090.
7. As to Claim 15, Maruo et al (Maruo) discloses a teleconferencing system (see Abstract) comprising of a plurality of AV devices (terminal device, Fig 3, Col 5 Lines 19-27), each capable of originating and reproducing user related audio and video signals (Col 8 Lines 34-43).

Maruo does not explicitly disclose a plurality of ports. However, Maruo discloses a communication port (plug receptacle, Col 5 Lines 27-28). Therefore, each terminal device has its own individual port. When there is plurality of terminal devices, there are a plurality of ports.

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Maruo discloses at least one communication path (ISDN network, Col 5 Lines 27-28) arranged for transport of audio and video signals between the AV devices (Col 5 Lines 13-17) by way of at least one port associated with each device.

Maruo discloses wherein the system is configured to control a teleconference call (Col 8 Lines 34-42). Maruo does not explicitly disclose the call handle. Hayden discloses a call handle (call appearance, Col 5 Lines 13-47) to define each call connection between an AV device and its associated port, each call handle defining the state between the respective device and port, the state being at least one of the group consisting of idle, ringing, active, and hold states (Col 5 Lines 27-47) by establishing communications between the devices based on the appropriate call handle's state (Col 5 Lines 27-47).

It would have been obvious to one of ordinary skill in the art to combine the teachings of the two references since they are directed to communication between two terminal devices. Furthermore, it would have been obvious at the time of the invention to include a call handler in the system disclosed by Maruo in order to ease the confusion of setting up conference calls (Col 1 Lines 44-51).

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maruo and Hayden as applied to claim 15 above, and further in view of Kannes US Patent no 4,965,819.

9. As to Claim 16, the references discloses the claimed invention as discussed above. The references do not explicitly disclose the switch and signal processor. Kannes discloses the

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switch (switching unit, Col 9 Lines 20-21) and signal processor (video signal compression unit, Col 9 Lines 60-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of the three references since they are directed at communication between participants. Furthermore, it would have been obvious to use a switch and a signal processor in the system disclosed by Maruo and Hayden in order to allow communication between remote and local locations (Col 2 Lines 55-57).

10. Claims 17 & 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruo and Hayden and further in view of Palmer et al US Patent 5,608,653.

11. As to Claim 17, the two references do not explicitly disclose the detect, notify, and allow of the other members in the teleconference. Palmer teaches a teleconference system (See Title) where a mechanism is provided for acknowledging and attempt by a third participant to join, and a mechanism to allow the third participant to join the existing conference (See Figs 5A, 5B, and 5C, and Col. 9, lines 11-49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the "joining" feature as taught by Palmer in the teleconferencing system taught by Maruo and Hayden in order to allow conferees to freely join an existing conference.

12. As to Claim 18, Palmer further teaches that up to seven participants can be added in a conference (Col. 2, lines 50-68).

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13. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maruo, Hayden, & Palmer as applied to claim 18 above, and further in view of Bales et al US Patent 5,373,549.

14. As to Claim 19, the references do not does not explicitly teach the hold selection mechanism, the disconnection mechanism or the add participant selection mechanism.

Bales teaches a teleconference system in which a participants can add (Fig. 6, Col. 6, lines 12-53) or disconnect (Col. 8, lines 3-40) or put on hold (Fig. 15, # 1524, 1525, 1526 and 1527 and Col. 9, lines 18-39, Col. 9, lines 60-Col. 10, line 3), a participant (See also Abstract, Figs. 5, 10 and 11).

It would have been obvious to one of ordinary skill in the art to combine the teachings of the four references since they are directed at communication between devices. Furthermore, it would have been obvious to one of ordinary skill at the time of the invention to include a hold selection mechanism, disconnection mechanism and add participant selection mechanism in the system taught by the references in order to make it easier to teleconferencing easier.

15. Claims 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maruo and Hayden as applied to Claim 15 and further in view of Vin et al , "Hierarchical Conferencing Architectures for Inter-Group Multimedia Collaboration", 1991 (cited by the Applicant).

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16. As to Claim 20, references does not explicitly teach a call selector enabling a participant to select N, the maximum number of calls supported by the AV manager, calls from M possible calls.

Vin et al (Vin) teaches that there is a maximum number of participants, N, which the system can support before the system performance deteriorates, and thus the number of participants should be limited as to not to exceed N (Para. 4.1 and 5.1). It follows, then, that there should be means to limit the number of participant when request to participate exceeds N, and that the decision should be made by someone, such as the presenter (Fig. 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a means to limit the maximum number of participants as taught by Vin in the teleconferencing system taught by Maruo and Hayden in order to avoid performance degradation of the system.

17. Claims 21-28 are rejected for the reasons set forth above for substantially the same claimed invention.

*Allowable Subject Matter*

18. An independent claim with the limitations of 15, 16, 19, & 20 would receive favorable consideration.

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*Conclusion*

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

<b>U.S. Patent:</b>	<b>Issued:</b>	<b>Inventor:</b>	<b>Filed:</b>
5,224,094	Jun 1993	Maher	Feb 1991
5,315,633	May 1994	Champa	Dec 1991
5,333,133	Jul 1994	Andrews et al	Apr 1992

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21. Any inquiry concerning this communication should be directed to Anderson Chen, whose telephone number is (703) 305-9593 or via email, *anderson.chen@uspto.gov*. The Examiner can normally be reached Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Thomas C. Lee, can be reached at (703) 305-9717.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231


**or faxed to:**


(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-5359 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

  
Anderson Chen  
October 20, 1998

  
THOMAS C. LEE  
SUPERVISORY PATENT EXAMINER  
GROUP 2700